

REC'D MAY - 3 2024

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

JEREMIAH CARBER

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

UNIVERSITY OF WISCONSIN- LA CROSSE
(AKA UWLAX)**COMPLAINT**Jury Trial: ☒ Yes ☐ No

(check one)

*(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)***I. Parties in this complaint:**

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff	Name	JEREMIAH CARBER
	Street Address	114 BETHLEHEM PIKE
	County, City	MONTGOMERY COUNTY, COLMAR
	State & Zip Code	PA 18915
	Telephone Number	(267) 718 1204

- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1 Name UNIVERSITY OF WISCONSIN- LA CROSSE
 Street Address 1725 STATE ST
 County, City LA CROSSE COUNTY, LA CROSSE
 State & Zip Code WISCONSIN 54601

Defendant No. 2 Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

Defendant No. 3 Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

Defendant No. 4 Name _____
 Street Address _____
 County, City _____
 State & Zip Code _____

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal Questions

☒ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue? UWLAX violated plaintiffs FIRST AMENDMENT RIGHTS of Freedom of Speech or Expression as stated in United States Constitution.

- C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship PENNSYLVANIA

Defendant(s) state(s) of citizenship WISCONSIN

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. Where did the events giving rise to your claim(s) occur? AN ONLINE MASTERS OF EDUCATION 2 YEAR PROGRAM

- B. What date and approximate time did the events giving rise to your claim(s) occur? MAY 6TH 2022

- C. Facts: UWLAX faculty Bill Gillespie, Ann Yehle, and Patricia Markos, during Term 4 of the 5 term program had created barriers that discriminatively forced plaintiff to be dismissed from the MSED program that plaintiff had bought into.

What
happened
to you?

Who did
what?

PLEASE SEE ATTACHMENT OF AUGUST 2ND 2022 APPEAL LETTER- MEDIATOR/ PLAINTIFF ATTORNEY BILL REIL HAD CONCLUDED 9 BULLET MARKS THAT WERE BASED ON UWLAX VIOLATING PLAINTIFFS 1ST AMENDMENT RIGHTS, SCHOOL DUE PROCESS RIGHTS, AND CIVIL RIGHTS AS A STUDENT. (pages 6 & 7 of this complaint)

Was
anyone
else
involved?

After being forced out of the MSED with only 3 classes left to complete for graduation, plaintiff hired a lawyer Bill Reil to mediate the dismissal letter that went into effect May 6th. After paying \$2500 and an additional \$1000 to Attorney Mediator Bill Reil, UWLAX continued to discriminate with repeating their PIP letter. All funds were exhausted and no clear path or scope of education was offered to plaintiff for him to graduate peacefully. Plaintiff tried to work with UWLAX Mr. Lind on a plan to finish since Sept 2023 to no avail.

Who else
saw what
happened?

Attorney Matthew Lind for UWLAX clearly told Plaintiff that he was "KICKED OUT!" of the program on Oct 17th 2023 and said he will not be able to return to UWLAX for a "VERY LONG TIME"

IV. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. Plaintiff suffered from harrassing messages threats of dismissal.

After being dismissed from the program, Plaintiff fell into depression, anxiety and illness.

Plaintiff suffered from these horrible actions and developed a dissability in February 2023.

Plaintiff was treated for depression and anxiety for six months and was placed on medical leave from his full time work to cope with the stress gone through. Plaintiffs family also suffered as Plaintiff was very upset many days and nights until he was able to talk to psychologist who was able to help medicate him from sleepless nights.

The plaintiff still finds it very hard to talk about the UWLAX events without getting upset, angry, or emotional as it has affected my perception greatly in a negative way for the future of Education, which is not how plaintiff felt when he taught for ten years before attending UWLAX Masters program in Education.

V. Relief:

State what you want the Court to do for you and the amount of monetary compensation, if any, you are seeking, and the basis for such compensation.

Plaintiff seeks to sue for Special Compensatory Damages; loss of potential lost wages and career income, of two million dollars. (\$2,000,000) Plaintiff is very worried his career is ruined as he struggles to move on from this unjust dismissal which has discriminated against him while costing him so much time and energy.

Because of the onslaught actions resulting in him being kicked out (dismissed) from UWLAX, Mr Carber is suing for General Compensatory Damages of two million dollars (\$2,000,000) for emotional stress, harassment, discrimination, violated first amendment rights and ongoing dismissiveness UWLAX shown as they were disregarding support and have left him behind to not graduate even though he had a perfect 4.0 GPA for terms 1 though 3.

Lastly, Plaintiff is requesting the Courts to grant Punitive Damages in hopes that other Universities will never dismiss a student after inciting false accusations of a students character which have no substancial backing. Plaintiff suffered so much stress from the burden of trying to graduate reasonably, when UWLAX through discriminative & dismissive actions continued to advertly affect and haunt Plaintiff causing pain and mental anguish.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 3 day of May, 2024.

Signature of Plaintiff

Mailing Address 114 BETHLEHEM PIKE
COLMAR PA 18915

Telephone Number (267) 718 1204

Fax Number (if you have one) _____

E-mail Address CARBER911@YAHOO.COM

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

Signature of Plaintiff:

PLEASE SEE ATTACHED PAGES 6 & ON PAGE 7, PLEASE
REVIEW THE 9 BULLET MARKS THAT MY LEGAL MEDIATOR SAID AS HE APPEALED
THE UWLAX DISSMISSAL ACTION-

BILL REIL- Said after over a year of trying to mediate the dismissal notice,& at the end
exhausting the \$3500 funds paid to him that he believed their was "Malice shown" towards to
the plaintiff.

III. Statement of Claim, Part C ATTACHMENT PAGES 6 & 7 BELOW:

William C. Reil, Esquire
1420 Locust Street, Suite 420, Philadelphia, PA 19102
Tel: 215-564-1635 Fax: 215-564-4292
BillReilLaw@gmail.com

August 2, 2022

BY EMAIL ONLY
mwyoff-horn@uwlax.edu

Marcie Wycoff-Horn, PhD
Dean, School of Education
University of Wisconsin
235 Morris Hall
1725 State Street
LaCrosse, WI 54650

Re: Jeremiah Carber v. University of Wisconsin
Appeal

Dear Dean Wycoff-Horn:

Please be advised that I represent Jeremiah Carber, a graduate student at the University of Wisconsin. I sent a letter of representation to the University, which was directed to their counsel, Matthew Lind, Esquire. Mr. Lind and I also have spoken concerning Mr. Carber. I reviewed your email of August 1, 2022. I spoke to Mr. Carber today and he authorized me to file this appeal of his dismissal and the ancillary issues.

"I, Jeremiah Carber, appeal the grade given to me arising out of the failure to confirm my choice for a principal mentor for my principalship practicum. I am also appealing any grades directly or indirectly (EDU 771 and EDU 772, Spring 2022) referenced in my dismissal letter of April 15, 2022 by Dr. Markos. I am living and teaching in China and it has been difficult to obtain a mentor. I suggested a mentor to the University who would fill the criteria involved. I would suggest that there be some flexibility here. The person that I suggest is Dr. Vance, who is well-qualified to supervise me. I have previously corresponded concerning her qualifications.

My dismissal letter of April 15, 2022 is deficient for the following reasons:

- (1) I had secured a qualified site supervisor. Dr. Vance mentored me on 4 previous terms and there was no difficulty with the University previously. I relied on the acceptance of Dr. Vance by the University, and their reversal of position was unreasonable and lacked fair notice.
- (2) With regard to unwillingness to attend meetings, I did not get the letter concerning the meeting of 2/14/22 until a day after the meeting. The issue here was lack of notice, not any unwillingness on my part.
- (3) With respect to "professional dispositions as an educational leader," and "inability to work cooperatively in small groups," these allegations are ambiguous, and they

III. Statement of Claim, Part C ATTACHMENT PAGES 6 & 7 BELOW:

lack any substantive evidence. The same is also true where my dismissal letter alleges that there were “approaches seen as judgmental by instructors.” My understanding is that I do not abrogate my right of free speech or freedom of religion at a state institution, simply because I may have an opinion that is different from some instructors. This is also true regarding the inappropriate comments which I allegedly made regarding certain LGBTQ+ issues. The comments are nowhere detailed. Finally, “being flip and using unprofessional language,” is conclusory and void for vagueness. I believe that my due process rights were trammled upon in the letter of April 15, 2022.

I note the following, *inter alia*, to exhaust my legal remedies:

- I did not receive rudimentary due process in this instance.
- The University violated my common law due process rights.
- I did not receive appropriate opportunity to confront the allegations, and those making them, against me.
- There was substantial compliance by myself with school policies and procedures.
- I was never given any warning or probation, nor was there any progressive implementation of sanctions.
- The grade and/or dismissal was against the weight of evidence and the law.
- I have been denied the requisite notice and opportunity to be heard incumbent upon a state actor.
- The University violated my contractual rights.
- The University would be subject to doctrine of *quantum meruit*, if I am not allowed to finish my degree.”

Sincerely yours,



William C. Reil, Esquire
WCR/mar

cc: Matthew Lind, Esquire
Jeremiah Carber